

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

INOVIS USA, INC.,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 07-459 (GMS)
)	
CLASSIFIED INFORMATION, INC. and)	
DISTANCE DIGITAL CO., LLC,)	
)	
Defendants.)	

PARTIES' JOINT CLAIM CONSTRUCTION CHART

Attached hereto as Exhibit A is the parties' Joint Claim Construction Chart for

U.S. Patent No. 5,812,669.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/ Julia Heaney

Jack Blumenfeld (#1014)
Julia Heaney (#3052)
1201 N. Market Street
P.O. Box 1347
Wilmington, DE 19899-1347
(302) 658-9200

OF COUNSEL:

David J. Wolfsohn
Erich M. Falke
Jordan L. Jonas
WOODCOCK WASHBURN LLP
2929 Arch Street, 12th Floor
Cira Centre
Philadelphia, PA 19104
(215) 568-3100

Attorneys for Inovis USA, Inc.

PEPPER HAMILTON LLP

/s/ M. Duncan Grant

M. Duncan Grant (#2994)
1313 N. Market Street, Suite 5100
P.O. Box 1709
Wilmington, DE 19899-1709
(302) 777-6500

OF COUNSEL:

Michael A. Lee
Vineet Bhata
Stephen F. Schlather
SUSMAN GODFREY LLP
1000 Louisiana Street
Houston, TX 77002-5096

Attorneys for Classified Information, Inc.

Dated: May 5, 2008

2317357

EXHIBIT A

INOVIS USA, INC. v. CLASSIFIED INFORMATION, INC. AND DISTANCE DIGITAL CO., LLC.
CIVIL ACTION NO. 07-459 (GMS) (D. DEL.)
JOINT CLAIM CONSTRUCTION CHART

Agreed Construction¹

Claim Limitation	Claim at Issue	Construction
open public network	1, 13, 22, 30, 35, 36, 37, 38, 39, 40, 42, 43, 45, 46, 48	A network, open to the public, that allows interconnection of different computers into a homogeneous framework. The Internet is an example of an open network. This is in contrast to closed networks such as Value Added Networks (VANs).
means for computing a first hash for said EDI interchange communication from said sender computer	1	Structure: disputed (see below) Agreed Function: to compute a first hash for said EDI interchange communication from said sender computer
means for inserting said first hash in a predetermined location in said associated EDI acknowledgment message	1	Structure: disputed (see below) Agreed Function: to insert said first hash in a predetermined location in said associated EDI acknowledgment message
means for computing a second hash of said associated EDI acknowledgment message	1	Structure: disputed (see below) Agreed Function: to compute a second hash of said associated EDI acknowledgment message

¹ The parties jointly and respectfully submit that, if the Court deems it appropriate, the Court include the agreed-upon claim construction in its Claim Construction Order, or in the alternative, that this agreed upon construction is a binding stipulation between the parties.

means for digitally signing said associated EDI acknowledgment message	1	Structure: disputed (see below) Agreed Function: to digitally sign said associated EDI acknowledgment message
means for encrypting said second hash with said sender computer's private key	1	Structure: disputed (see below) Agreed Function: to encrypt said second hash with said sender computer's private key
means for inserting said second hash in a predetermined location in said associated EDI acknowledgment message	1	Structure: disputed (see below) Agreed Function: to insert said second hash in a predetermined location in said associated EDI acknowledgment message
means for transmitting said EDI interchange communication along with said digitally signed associated EDI acknowledgment message to said recipient computer over said open public network	1	Structure: disputed (see below) Agreed Function: to transmit said EDI interchange communication along with said digitally signed associated EDI acknowledgment message to said recipient computer over said open public network
means associated with said recipient computer for receiving and processing said received EDI interchange communication and said digitally signed EDI acknowledgment message for providing authentication and non-repudiation of said EDI interchange communication from said sender computer	1	Structure: disputed (see below) Agreed Function: to receive and process said received EDI interchange communication and said digitally signed EDI acknowledgment message for providing authentication and non-repudiation of said EDI interchange communication from said sender computer
means for decrypting said encrypted second hash with said sender computer's public key	1	Structure: disputed (see below) Agreed Function: to decrypt said encrypted second hash with said sender computer's public key

Asserted claims: 1, 13, 21, 22, 29, 30, 35, 36, 37, 38, 39, 40, 42, 43, 45, 46, 48²

U.S. Patent No. 5,812,699 Claim Limitation	Claims at Issue	INOVIS		CLASSIFIED INFORMATION	
		CONSTRUCTION	INTRINSIC EVIDENCE	CONSTRUCTION	INTRINSIC EVIDENCE
EDI interchange communication	1, 35, 37, 38, 48	EDI transaction defined by the interchange header (ISA) to the last character of the interchange trailer (IEA)	669 Patent, Figure 2; 21:33-41	A message or messages that contains security information, such as non-repudiation of origin or non-repudiation of receipt data or document integrity data, that is related to one or more EDI interchange communications	Col. 1, l. 66 – Col. 2, l. 6 Col. 1, ll. 37-42 Col. 2, ll. 31-33 Col. 2, ll. 15-21 Col. 4 ll. 48-51 Col. 21, ll. 55-58 Col. 21, l. 30-Col. 22, l. 63

² Inovis has asked that the following appear here: Notwithstanding Inovis' submission in this Joint Claim Chart, Inovis reserves the right to assert that Classified's failure to provide adequate answers to infringement interrogatory contentions bars it from asserting one of more claims in the 669 Patent. Inovis disagrees with Classified's statements in the following paragraph.

Classified has asked that the following appear here: Classified has timely answered all interrogatories in accordance with the Fed. R. Civ. Pro. and this Court's local rules. Pursuant to these rules Classified will update its interrogatory responses as appropriate. Classified does not believe that this Joint Claim Chart is the proper vehicle for Inovis to raise this discovery issue, and likewise points out that Inovis has not followed the proper meet and confer procedures required by the local rules for handling discovery disputes. However, despite being advised of these deficiencies Inovis has refused to remove its Footnote 2. As a result, Classified has been forced to respond in kind.

U.S. Patent No. 5,812,699 Claim Limitation	Claims at Issue	INOVIS		CLASSIFIED INFORMATION	
		CONSTRUCTION	INTRINSIC EVIDENCE	CONSTRUCTION	INTRINSIC EVIDENCE
EDI acknowledgment message	1, 21, 35, 37, 38, 39, 42, 43, 48	An AUTACK message (AUTHenticated ACKnowledgment) is a defined, standard EDI document type that uses digital signatures to verify the receipt of another EDI document	U.S. Patent App. Serial No. 08/504,984 Amendment & Glossary received by PTO on Jan. 7, 1998; 669 Patent Abstract, 1:66-2:14; 2:15-21; 2:31-33; 4:48-56	A message or messages that contains security information, such as non-repudiation of origin or non-repudiation of receipt data or document integrity data, that is related to one or more EDI interchange communications	Col. 1, l. 66 – Col. 2, l. 14 Col. 2, ll. 15-51 Col. 21, l. 30-Col. 22, l. 63

U.S. Patent No. 5,812,699 Claim Limitation	Claims at Issue	INOVIS		CLASSIFIED INFORMATION	
		CONSTRUCTION	INTRINSIC EVIDENCE	CONSTRUCTION	INTRINSIC EVIDENCE
hash	1	Value obtained after performing a function that takes a variably sized input and returns a fixed-sized string for providing a level of integrity higher than merely detecting random transmission or compression errors such that there is a very low probability that two different input values will have the same fixed-sized output values.	669 Patent, 5:10-17	No Construction Necessary <u>In the alternative:</u> The value returned as a result performing a function on a set of data to reduce the data to a smaller representation of that data	Col. 1, l. 66 – Col. 2, l. 6 Col. 5, ll. 11-13
sender computer	1, 35, 37, 38, 48	Computer from which the EDI interchange communication originates	669 Patent, Abstract; 1:66-2:14; 2:21-38; 2:49-3:14; 4:56-65; 21:30-22:15; 22:16-63; Figures 2 & 3	No Construction Necessary <u>In the alternative:</u> A computer that sends data	Abstract Fig. 1 Col. 5, l. 40 – Col. 6, l. 2

U.S. Patent No. 5,812,699 Claim Limitation	Claims at Issue	INOVIS		CLASSIFIED INFORMATION	
		CONSTRUCTION	INTRINSIC EVIDENCE	CONSTRUCTION	INTRINSIC EVIDENCE
recipient computer	1, 35, 37, 38, 39, 43, 48	Computer that receives the original EDI interchange communication from the sender computer	669 Patent, Abstract; 1:66-2:14; 2:21-38; 2:49-3:14; 4:56-65; 21:30-22:15; 22:16-63; Figures 2 & 3	No Construction Necessary <u>In the alternative:</u> A computer that receives data	Abstract Fig. 1 Col. 5, l.40 – Col. 6, l. 2
digitally signing	35, 37, 38, 48	Block 202 in Figure 2	669 Patent, Figure 2 block 202; 21:30-22:15	encrypted data appended to or part of a message, that enables a recipient to prove the identity of the sender	Fig. 2 Fig. 3 Fig. 5 Figs. 11A & 11B; 12; 13A; 13B Col. 1; l. 65 – Col. 2, l.14 Col. 2, ll. 15-48
processing	35	Block 206 in Figure 2	669 Patent, Figure 2 block 206; 21:30-22:15	No Construction Necessary <u>In the alternative:</u> Systematically performing operations upon	Figs. 2-3 Figs. 11A-13B Col. 1, ll. 66-Col. 3, l. 25 Col. 21, l. 30-Col. 22, l. 63 Col. 23, ll. 35-46

U.S. Patent No. 5,812,699 Claim Limitation	Claims at Issue	INOVIS		CLASSIFIED INFORMATION	
		CONSTRUCTION	INTRINSIC EVIDENCE	CONSTRUCTION	INTRINSIC EVIDENCE
reply EDI acknowledgement message	37, 38, 48	Reply AUTACK sent from the recipient computer to the sender computer	U.S. Patent App. Serial No. 08/504,984 Amendment & Glossary received by PTO on Jan. 7, 1998; 669 Patent, Abstract, Figure 3 Block 210; 2:49-3:14; 22:23- 63	An acknowledgment message sent by the recipient computer to the sender computer	Fig. 2 Col. 2, ll. 6-14 Col. 2, ll. 49- 67 Col. 21, l. 30-Col. 22, l. 63
AUTACK	21, 42	A defined, standard EDI document type (defined by segments UNA to UNZ) that uses digital signatures to verify the receipt of another EDI document	U.S. Patent App. Serial No. 08/504,984 Amendment & Glossary; 669 Patent, Figure 2 Block 204; Figure 3 Block 210; 21:52-55; 22:23-40	A defined standard EDI document type that uses digital signatures to verify the receipt of another EDI document	Fig. 2-3 Col. 2, ll. 15-21 U.S. Patent App. Serial No. 08/504,984 Amendment & Glossary

U.S. Patent No. 5,812,699 Claim Limitation	Claims at Issue	INOVIS		CLASSIFIED INFORMATION	
		CONSTRUCTION	INTRINSIC EVIDENCE	CONSTRUCTION	INTRINSIC EVIDENCE
processing	37, 38, 48	Block 212 in Figure 3	669 Patent, Figure 3 Block 212; 22:16-63	No Construction Necessary <u>In the alternative:</u> Systematically performing operations upon	Figs. 2-3 Figs. 11A-13B Col. 1, ll. 66-Col. 3, l. 25 Col. 21, l. 30-Col. 22, l. 63 Col. 23, ll. 35-46
means for computing a first hash for said EDI interchange communication from said sender computer	1	Structure: Table A, 6:45-7:32 ³	669 Patent, Claim 1; Table A	Structure: at least one computer capable of executing programming necessary to compute a value representing the EDI interchange communication and equivalents	Figs. 1-2 Table A Col 5, l. 40 - Col 6, l. 2 Col 6, ll. 3-9 Col 5, ll. 11-17 Col 2, ll. 24-27 Col 6, ll. 65-66 Col 21, ll. 38-41

³ Inovis has asked that the following appear here: By identifying structure for the means-plus-function claims, Inovis does not admit that the disclosed structure is sufficient for validity purposes.

U.S. Patent No. 5,812,699 Claim Limitation	Claims at Issue	INOVIS		CLASSIFIED INFORMATION	
		CONSTRUCTION	INTRINSIC EVIDENCE	CONSTRUCTION	INTRINSIC EVIDENCE
means for inserting said first hash in a predetermined location in said associated EDI acknowledgment message	1	Structure: Table A, 6:45-7:32	669 Patent, Claim 1; Table A	Structure: at least one computer capable of executing the programming necessary to insert the first value into a predetermined location in the EDI acknowledgment message and equivalents	Figs. 1-2 Table A Col. 5, l. 40-Col 6, l. 2 Col. 6, ll. 3-9 Col. 5, ll. 20-39 Col. 2, ll. 21-27 Col. 7, ll. 8-15 Col. 21, ll. 41-44
means for computing a second hash of said associated EDI acknowledgment message	1	Structure: Table A, 6:45-7:32	669 Patent, Claim 1; Table A	Structure: at least one computer capable of executing the programming necessary to calculate a value representing the EDI acknowledgement message and equivalents	Figs. 1-2 Table A Col 5, l. 40 – Col. 6, l. 2 Col. 6, ll. 3-9 Col. 5, ll. 11-17 Col. 2, ll. 21-27 Col. 7, ll. 8-15 Col. 21, ll. 44-47
means for digitally signing said associated EDI acknowledgment message	1	Structure: Table A, 6:45-7:32 & Figure 2 Block 202	669 Patent, Claim 1; Table A; 21:30-22:15	Structure: at least one computer capable of executing the programming necessary to encode an identifier for sender computer and equivalents	Figs. 1-2 Table A Col. 5, l. 40 – Col. 6, l. 2 Col. 6, ll. 3-9 Col. 5, ll. 11-39 Col. 2, ll. 27-33 Col. 7, ll. 8-15 Col. 21, ll. 44-55

U.S. Patent No. 5,812,699 Claim Limitation	Claims at Issue	INOVIS		CLASSIFIED INFORMATION	
		CONSTRUCTION	INTRINSIC EVIDENCE	CONSTRUCTION	INTRINSIC EVIDENCE
means for encrypting said second hash with said sender computer's private key	1	Structure: Table A, 6:45-7:32	669 Patent, Claim 1; Table A	Structure: at least one computer capable of executing the programming necessary to encrypt the second hash using the sender computer's private key and equivalents	Figs. 1-2 Table A Col. 2, ll. 30-31 Col. 5, l. 40-Col. 6, l. 42 Col. 20, ll. 10-15 Col. 21, l. 30-Col. 22/l. 63 Col 5/55-67 Col. 7, ll. 10-17
means for inserting said second hash in a predetermined location in said associated EDI acknowledgment message	1	Structure: None	669 Patent, Claim 1	Structure: at least one computer capable of executing the programming necessary to insert the second hash into a predetermined location in the EDI acknowledgment message and equivalents	Figs. 1-2 Table A Col. 5, l. 40- Col 6, l. 2 Col. 2, ll. 30-31 Col. 7, ll. 8-15 Col. 21, ll. 49-52

U.S. Patent No. 5,812,699 Claim Limitation	Claims at Issue	INOVIS		CLASSIFIED INFORMATION	
		CONSTRUCTION	INTRINSIC EVIDENCE	CONSTRUCTION	INTRINSIC EVIDENCE
means for transmitting said EDI interchange communication along with said digitally signed associated EDI acknowledgment message to said recipient computer over said open public network	1	Structure: Table A, 6:45-7:32	669 Patent, Claim 1; Table A	Structure: at least one computer capable of transmitting data via an open public network and equivalents	Figs. 1-2 Table A Col. 2, ll. 30-31 Col. 5, l. 40-Col. 6, l. 42 Col. 20, ll. 10-15 Col. 21, l. 30-Col. 22/l. 63 Col 5/55-67 Col. 7, ll. 10-17

U.S. Patent No. 5,812,699 Claim Limitation	Claims at Issue	INOVIS		CLASSIFIED INFORMATION	
		CONSTRUCTION	INTRINSIC EVIDENCE	CONSTRUCTION	INTRINSIC EVIDENCE
means associated with said recipient computer for receiving and processing said received EDI interchange communication and said digitally signed EDI acknowledgment message for providing authentication and non-repudiation of said EDI interchange communication from said sender computer	1	Structure: Table A, 7:45-8:53 & Figure 2 Block 206	669 Patent, Claim 1; Table A; 21:30-22:15	Structure: at least one computer capable of executing the programming necessary to read and decode the first hash and digital signature and equivalents	Fig. 1-2; 4-13 Table A Col. 2, ll. 30-31 Col. 5, l. 40-Col. 6, l. 42 Col. 20, ll. 10-15 Col. 21, l. 30-Col. 22/l. 63 Col 5/55-67 Col. 7, ll. 10-17
means for decrypting said encrypted second hash with said sender computer's public key	1	Structure: Table A, 7:45-8:53	669 Patent, Claim 1; Table A	Structure: at least one computer capable of executing the programming necessary to decrypt the second value using the sender computer's public key and equivalents	Figs. 1; 4-13 Table A Col. 5, l. 40-Col. 6, l. 42 Col. 20, ll. 10-15 Col. 21, l. 30-Col. 22/l. 63